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Attorneys for *Specially Appearing* Defendant
BUMBO (PTY) LTD.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

WENDY D. WHITSON, individually
and on behalf of all others similarly
situated,

Plaintiffs,

vs.

BUMBO, BUMBO LIMITED, BUMBO
(PTY) LTD. and TARGET
CORPORATION,

Defendants.

Case No. CV07-5597 MHP

**DECLARATION OF JENNIFER
J. JOHNSTON IN SUPPORT OF
BUMBO (PTY) LTD.'S REPLY
TO PLAINTIFF'S OPPOSITION
TO AMENDED MOTION TO SET
ASIDE DEFAULT, QUASH
SERVICE, DISMISS FOR
IMPROPER SERVICE, LACK OF
PERSONAL JURISDICTION
AND FAILURE TO SERVE, AND
FOR SANCTIONS**

Date: March 10, 2008
Time: 2:00 p.m.
Place: Courtroom of the Hon.
Marilyn Hall Patel

I, Jennifer J. Johnston, declare:

1. I am a member of the law firm of Condon & Forsyth LLP, attorneys
of record for defendant Bumbo (Pty) Ltd. I have personal knowledge of the facts
stated in this declaration, except for those facts stated upon information and belief
and, as to those facts, I am informed and believe that they are true and correct. If
called as a witness, I could competently testify to these facts. I submit this

DECLARATION OF JENNIFER J. JOHNSTON IN SUPPORT
OF BUMBO (PTY) LTD.'S REPLY TO PLAINTIFF'S
OPPOSITION TO AMENDED MOTION TO SET ASIDE
DEFAULT, QUASH SERVICE AND DISMISS FOR
INSUFFICIENT SERVICE OF PROCESS AND LACK OF
PERSONAL JURISDICTION
CASE NO.: CV07-5597 MHP

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1 declaration in support of Bumbo (Pty) Ltd.'s Reply to Plaintiff's Opposition to the
2 Amended Motion to Set Aside Default, Quash Service and Dismiss for Insufficient
3 Service of Process and Lack of Personal Jurisdiction and for Sanctions.

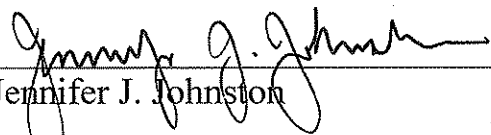
4 2. Attached hereto as Exhibit "A" is a true and correct copy of Rule 4 of
5 the South African Rules of Court. I am informed and believe that Rule 4 provides
6 that any documentation initiating proceedings shall be effected by the Sheriff.

7 3. In addition to plaintiff's counsel in this case, I have contacted
8 attorneys for plaintiffs in other cases presently pending against Bumbo (Pty) Ltd.,
9 and have asked them to contact me if they believed they served Bumbo (Pty) Ltd.
10 Plaintiff's counsel in the case at hand were the only attorneys who refused to
11 cooperate and provide information.

12 4. In one of the other pending cases, also styled as a class action and
13 entitled *Mathison v. Bumbo, et al.*, Case No. 07CC01399, venued in California
14 state court, specifically, Orange County, plaintiffs' counsel has acknowledged that
15 there are service requirements for service on foreign corporations and has indicated
16 that he is currently in the process of serving Bumbo (Pty) Ltd. via a letter rogatory.
17 Plaintiffs' counsel also told me that he had spoken with counsel for plaintiff in the
18 case at hand and expressed his view that a letter rogatory was the only appropriate
19 method by which to serve Bumbo (Pty) Ltd.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed this 25th day of February 2008 at Los Angeles, California.

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24 Jennifer J. Johnston
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